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Helms Is Facing Inquiry on Chile And U.S. Spying

By STEPHEN ENGELBERG

Special to The New York Times

WASHINGTON, Aug. 2 — The Federal Bureau of Investigation is seeking to determine whether Senator Jesse Helms or one of his aides passed sensitive American intelligence information to the Chilean Government, according to Congressional and Reagan Administration officials.

The officials said the inquiry was focusing on charges that the Chileans had been tipped off about a covert American intelligence-gathering operation.

They said the Senate Select Committee on Intelligence asked for the investigation after reviewing evidence from the State Department that there had been a leak of information to Chile, possibly by Senator Helms, a North Carolina Republican, or one of his staff members.

Helms Denies Any Disclosure

Senator Helms, who is a vocal critic of the State Department's policy toward Chile, said today that neither he nor his staff had provided any classified material to the Chileans. He said he was not aware of the F.B.I.'s inquiries but said they appeared to have been politically motivated.

"The State Department and the Central Intelligence Agency are constantly trying to discredit me, and they're not going to be able to do it," Mr. Helms said in an interview. "The real need is for the State Department and the C.I.A. to clean up their acts."

"If they want to play the game of intimidation, of harassment and of leaks, we'll meet them right in the middle of the field," he said.

The allegation that Senator Helms or a staff member was involved could not

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be independently verified. One Congressional official familiar with the evidence said it pointed to a "Helms connection" with the incident rather than to any specific person as the source of the unauthorized disclosure. The official added, however, that personal involvement of Senator Helms could not be ruled out.

A second Congressional official placed less weight on the information, saying it came from "third or fourth-hand" sources whose veracity had not yet been proved.

One Administration official said C.I.A. officials were angered by the disclosure to the Chileans because it posed a threat to the agency's sources and methods for gathering information on Chile. An intelligence source, characterizing the C.I.A.'s reaction to the incident, said: "This has really caused a problem. Whoever did this did an awful thing."

Kathy Pherson, a spokesman for the C.I.A., said the agency would have no comment.

Senator Can Get Chile Data

The F.B.I. investigation began in the past week, according to an Administration official. Congressional sources, who asked not to be identified, said the Senate Intelligence Committee had informed the Senate's leadership of its decision to request the investigation.

Mr. Helms is not a member of the Intelligence Committee, but he is given sensitive intelligence on Chile in his post as chairman of the Western Hemisphere Subcommittee of the Foreign Relations Committee. He is the second-ranking Republican on the Foreign Relations Committee.

In recent months, Mr. Helms has made a series of critical statements about the Administration's relationship with Chile, which he views as having one of the few anti-Communist governments in the region and thus deserving of strong American support.

Ambassador Draws Helms Fire

Visiting Chile last month, Senator Helms assailed the American Ambassador, Harry G. Barnes, for his decision to attend the funeral of Rodrigo Rojas de Negri, a 19-year-old permanent resident of the United States who was fatally burned in anti-Government protests. Witnesses said Mr. Rojas and an 18-year-old student had been doused with flammable liquid and set afire by men in military uniforms. The army denied responsibility.

On arriving in Santiago, the Chilean capital, Mr. Helms criticized the State Department for pressuring Chile to restore democracy and investigate Mr. Rojas's death. He said Mr. Barnes had "planted the American flag in the midst of a Communist activity" by going to the funeral.

State Department officials and White House officials defended Mr. Barnes, saying his attendance at the funeral was approved in advance. They also said Senator Helms had been wrong to make his comments while in a foreign country.

A Senate Prohibition

In the interview today, Senator Helms questioned the motivations of the officials who disclosed the investigation of him or his staff. "What I say about the C.I.A. and the State Department, I say publicly, while they dodge around in dark corners and leak to The New York Times," he said.

The investigation of disclosure of intelligence information relating to Chile was initiated under a Senate rule that bars staff and members from releasing classified information or material provided in closed sessions of Congress or its committees. Under Senate Resolution 400, committees informed of possible violations can refer cases to the Justice Department for investigation and a report. Congressional officials said investigations under the rule are infrequent.

In the executive branch, a similar procedure is followed for investigations of unauthorized disclosures. Agencies refer cases to the Justice Department, which in turn decides whether further investigation is warranted.

Administration and Disclosure

The Intelligence Committee's decision to refer the case to the Justice Department came after several months in which committee members sharply criticized Administration officials for unauthorized disclosure of intelligence information.

For instance, at the confirmation hearing on the nomination of Robert Gates as Deputy Director of Central Intelligence, Senator Sam Nunn, Democrat of Georgia, said:

"I think somebody at the highest levels of Government has got to get this under control. When you start reading things that lead directly, or could hypothetically at least, to sources and methods of a sensitive nature, I think it is deplorable."

Alluding to disclosure of intelligence data on Libya, Senator Nunn added: "We hear so much about Congress leaking, but, to the best of my information, Congress hasn't even been briefed in these areas, which means these leaks are definitely coming from the executive branch. And I think it is going to cause a lot more difficulty over the next few months."

Helms should have been told about probe, colleagues say

By Ralph Z. Hallow
THE WASHINGTON TIMES

Some Republicans on Capitol Hill say they are surprised that Sen. Jesse Helms did not learn in advance of an apparent FBI investigation into allegations that he or one of his aides passed information to the Chilean government regarding U.S. intelligence-gathering.

"Durenberger should have talked to Helms before starting an investigation," said a GOP source close to Mr. Helms. "Helms didn't know till a reporter called him."

Sen. Dave Durenberger, Minnesota Republican, is chairman of the Senate Intelligence Committee.

The source called it a "terrible breach of Senate courtesy for one Republican chairman not to talk to another chairman."

The source also noted that Mr. Helms is vice chairman of the Senate Ethics Committee, "where this issue will be settled if it turns into a long-term thing."

Another Republican, Sen. Warren Rudman of New Hampshire, is chairman of the Ethics Committee; Mr. Durenberger and Mr. Helms are the only other Republican members.

The Senate Intelligence Committee told Senate leaders it was asking the FBI to begin an investigation, according to a story that appeared yesterday in The New York Times.

The investigation apparently began last week. Senate rules bar members and staff from divulging information that is classified or presented in closed sessions.

How the senator or someone in his

office may have obtained sensitive information about Chile was unclear. Though not a member of the Intelligence Committee, Mr. Helms is vice chairman of the Senate Foreign Relations Committee and chairman of its Western Hemisphere subcommittee.

"The State Department and the Central Intelligence Agency are constantly trying to discredit me, and they're not going to be able to do it," Mr. Helms was quoted as saying. "The real need is for the State Department and the CIA to clean up their acts."

He accused his enemies in the State Department or the intelligence agency of leaking information about the investigation to the newspaper.

Mr. Helms angered fellow Republicans last month while on a visit to Chile, where he publicly denounced the U.S. ambassador to Santiago, Harry G. Barnes Jr., for having attended the funeral of a young man who died of burns suffered during anti-government protests.

The Santiago government appointed a special prosecutor to look into allegations that the victim, Rodrigo Rojas de Negri, 19, a Chilean who had been living in the Washington area, was burned, either on purpose or accidentally, by Chilean authorities in uniform.

Mr. Helms' statements on this and other Chilean issues rubbed many conservatives the wrong way because, they said, it gave the impression he was defending the rule of Chilean strongman Augusto Pinochet and was therefore undermining

Reagan administration efforts to get Gen. Pinochet to restore democratic institutions.

"It's just plain wrong, anyway, if you're an American official, to publicly criticize your own government's policy toward a foreign country while you're visiting that country," a member of the GOP leadership in Congress said. "I don't know what's come over Jesse."

Some conservative Republicans say Mr. Helms' criticism of the State Department and his defense of the Pinochet government, especially regarding the Rojas incident, have played into the left's hands.

"It may have been an anti-democratic leftist who was fooling around with Molotov cocktails, but that didn't give the Chilean soldiers the right to burn him to death, if that's what in fact happened," said a source close to Mr. Helms.

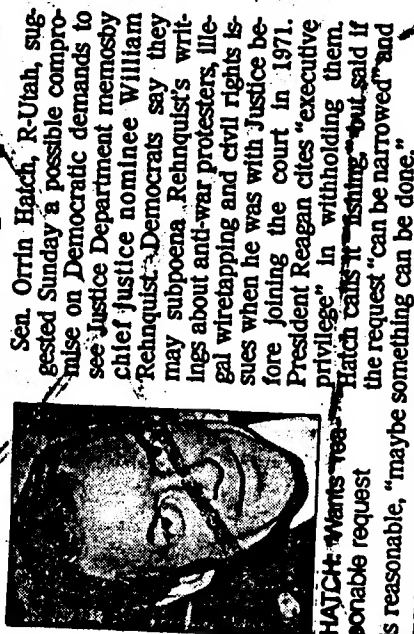
Nor did Mr. Helms' statements from Chile help him with other conservatives. "Well, you don't exactly see people stampeding to his defense," said a foreign policy source on the Hill who normally agrees with Mr. Helms.

For his part, Mr. Helms has expressed frustration over what he sees as U.S. mishandling of the Rojas issue. Though Mr. Barnes, the U.S. ambassador, attended the young man's funeral, no representatives from Chile's democratic center attended. "The only people who were present were representatives of the Community Party" and other parties of the totalitarian left, Mr. Helms said.

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CAPITAL LINE

USA TODAY'S BRIEFING ON WASHINGTON

Compromise sought
on Rehnquist papers

Sen. Orrin Hatch, R-Utah, suggested Sunday a possible compromise on Democratic demands to see Justice Department memos by chief justice nominee William Rehnquist. Democrats say they may subpoena Rehnquist's writings about anti-war protesters, illegal wiretapping and civil rights issues when he was with Justice before joining the court in 1971. President Reagan cites "executive privilege" in withholding them. Hatch calls it "fishing," but said if the request "can be narrowed" and is reasonable, "maybe something can be done."

FBI PROBING HELMS? The FBI won't comment on a New York Times report it's probing if Sen. Jesse Helms, R-N.C., or his staff slipped confidential intelligence data to Chile's government. The paper says Chile was warned in advance of a covert operation. Helms, who visited Chile in July, said the probe was politically motivated.

HATCH: "Wants to see a reasonable request."



News Summary

SUNDAY, AUGUST 3, 1986

The F.B.I. is said to be seeking to determine whether Senator Jesse Helms or a Helms aide passed sensitive information to the Chilean Government about a covert American intelligence-gathering operation, according to Congressional and Administration officials. These sources said the Senate Select Committee on Intelligence requested the inquiry after reviewing evidence from the State Department that there had been a disclosure by Mr. Helms or an aide. The Senator is an outspoken critic of the State Department's policy toward Chile. [1:1.]

Helms Probe Reported
On Spy Leaks to Chile

United Press International

NEW YORK, Aug. 2—The FBI is trying to determine whether Sen. Jesse Helms (R-N.C.) or an aide leaked U.S. intelligence information to Chile, The New York Times reported in its Sunday editions.

The report by Stephen Engelberg quoted unidentified congressional and administration sources as saying the inquiry, requested by the Senate Select Committee on Intelligence after hearing evidence from the State Department, will focus on "accusations the Chilean government was tipped off to a covert U.S. intelligence-gathering operation."

Helms, a critic of State Department policy on Chile, denied the allegations, the newspaper said.

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